

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

AKO K. BURNELL,

Plaintiff

-vs-

Helio - Dominica

Helio - Morgan

~~Abanado, officer~~ (A) Holbert

~~Fayle, officer~~ (A) Wilcox

~~Gondok, officer~~ (A) Maldonado

Kinderman, officer - chief

Well Path - Nancy

Speilman, officer

Mostus, officer

Clek, officer - Lt.

Ciulla, officer - Sgt.

D'Amico, officer - Lt.

Hazanovic, officer

~~Johnson, officer~~ (A) Inv. Miller

Chapman, officer

Yocum, officer

Nordine, officer

Brandham, officer - Lt.

Carra, officer.

Hoke, officer

Mcdonald, officer

Paulinkowski, officer

Pfliger, officer - Captain

Nhpa, officer

Elswood, officer

Plummet, officer

Davies, officer

Campbell, officer - Lt.

Kwathi, officer - hearing

Woodland, officer -



Engler, officer

Corocan, officer

Smith, Officer-Captain

Larry, Law Library

Carol, Trinity Food Service

Sowes, Trinity Food Service

Bray, officer

Slipko, officer

Scotfield, officer

~~Rodgers, officer~~ (46)

Individually and in their official capacities

1. This is an action pursuant to the Civil Rights Act of 1871, 42 U.S.C.A. 1983 and 28 U.S.C.A. 1343, seeking redress for the deprivation of Plaintiff(s) Constitutional rights. Venue is proper in this district, as all of the acts complained of occurred in Oriskany, New York, Northern District.
2. This Court has jurisdiction over this action under 28 U.S.C.A. 1343(a) for a violation of Constitutional rights provided in 42 U.S.C.A. 1983. The Plaintiff seeks injunction relief & monetary damages, as well as fees & costs pursuant to 42 U.S.C.A. 1988.
3. Plaintiff is a citizen of New York State. Each Defendant is upon information and belief a citizen of New York State.
4. Defendant Dominca, is a employee of the mental health service provider Helio. to OCF pursuant to NYS law.
5. Defendant Morgan, is a employee of the mental health service provider Helio to OCF pursuant to NYS law.
6. Defendant Mark Kinderman, is the Chief of OCF, pursuant to NYS laws.
7. Defendant Nancy, is a employee of medical service provider Wellpath to OCF pursuant to NYS law.
8. Defendant Spielman, is a C.O. of OCF, pursuant to NYS laws.
9. Defendant Mosher, is a C.O. of OCF, pursuant to NYS laws.
10. Defendant Inv. Miller, is a C.O. of OCF, pursuant to NYS laws.

11. Defendant Czcek, is a lieutenant of OCCF Pursuant to NYS laws.
12. Defendant Ciulla, is a Sergeant of OCCF Pursuant to NYS laws.
13. Defendant Dimico, is a lieutenant of OCCF Pursuant to NYS laws.
14. Defendant Hazzanovic, is a C.O. of OCCF Pursuant to NYS laws.
15. Defendant Chapman, is a C.O. of OCCF Pursuant to NYS laws.
16. Defendant Jecum, is a C.O. of OCCF Pursuant to NYS laws.
17. Defendant Nodine is a C.O. of OCCF Pursuant to NYS laws.
18. Defendant Brandham, is a lieutenant of OCCF Pursuant to NYS laws.
19. Defendant Carida, is a C.O. of OCCF Pursuant to NYS laws.
20. Defendant Hoke, is a C.O. of OCCF Pursuant to NYS laws.
21. Defendant McDonald, is a C.O. of OCCF Pursuant to NYS laws.
22. Defendant Paulinkowski, is a C.O. of OCCF Pursuant to NYS laws.
23. Defendant Napa, is a C.O. of OCCF Pursuant to NYS laws.
24. Defendant Elswood, is a C.O. of OCCF Pursuant to NYS laws.
25. Defendant Plunmely, is a C.O. of OCCF Pursuant to NYS laws.
26. Defendant Davies, is a C.O. of OCCF Pursuant to NYS laws.
27. Defendant Campbell, is a lieutenant of OCCF Pursuant to NYS laws.
28. Defendant Knutti, is a C.O. of OCCF Pursuant to NYS laws.
29. Defendant Corocany, is a C.O. of OCCF Pursuant to NYS laws.
30. Defendant Smith, is a Captain of OCCF Pursuant to NYS laws.
31. Defendant Pfliger, is a Captain of OCCF Pursuant to NYS laws.
32. Defendant Carol, is a employee of Trinity Food Service Group, Pursuant to a Food Service Contract with OCCF.
33. Defendant Sowers, is a employee of Trinity Food Service Group, Pursuant to a Food Service Contract with OCCF.
34. Defendant Holbert, is a C.O. of OCCF Pursuant to NYS laws.
35. Defendant Wilcox, is a C.O. of OCCF Pursuant to NYS laws.
36. Defendant Amalido, is a C.O. of OCCF Pursuant to NYS laws.

37. Defendant Ingler, is a officer of OCF, Pursuant to NYS laws.
38. Defendant Bray, is a officer of OCF, Pursuant to NYS laws.
39. Defendant Slippo, is a officer of OCF, Pursuant to NYS laws.
40. Defendant Scottfield is a officer of OCF, Pursuant to NYS laws.
41. Defendant Woodland, is a officer of OCF, Pursuant to NYS laws.
42. Defendant(s) Acted under color of state law, of a statute, regulation & custom. Defendant(s) are sued both individually & in their official capacities. At all times pertinent. Defendant(s) were employed by the County of Oneida

### FACTS

43. On October 29, 2024, Plaintiff was detained, on the Penal Law violation 120.15, & 240.26. As a Pre-trial detainee. He was seen by only 3 inform them of his Anti-Personality disorder, & his insomnia, & that he required medication & treatment.
44. He was seen by medical, & inform them of his Siactica, Carpal tunnel, nerve damage, knee, neck, & shoulder, & he was a no-say Consumer. He also needed eye glasses, & dental treatment.
45. Plaintiff went to be housed in Pod-4-4 cell. The Cell was filthy. Plaintiff, went to sleep, in anticipation of Court on October 30, 2024. Plaintiff, door was buzzed ajar, & he noticed he had (4) parcels of mail. Plaintiff was then inform, that the mail was never mailed out, from the last time he was released from OCF on 10/08/2024.
46. Plaintiff, did his hygiene, & Proceeded to Court. Plaintiff was ~~inform~~ informed by his Cellmate, to be careful because he heard officers discussing setting him up with drugs & a weapon. Plaintiff gave thanks & Proceeded to exit the unit for Court.



POD-4-Cell-4

48. Plaintiff attended Court in the City of Utica for a ROR hearing, on a Parole warrant #0857489, on October 30, 2024. Upon leaving the Cell Plaintiff observed Defendant Hozanovic was in Possession of a Sharpen toothbrush. He stated "You've got a Cell search, I hope you got your toothbrush." Plaintiff left the unit & attended Court in Utica City.
49. Plaintiff returned from Court & his cell was searched, & left in a disarray. On November 02, 2024, Defendant Johnson informed Plaintiff to "calm down". Due to Plaintiff seeking legal-calls, & clearance from Orientation Johnson informed Defendant D'mico.
50. Defendant(s) D'mico, Chapman, Czek, & Plaintiff went to ALF-unit. The unit is for Suicidal/Homicidal ill. Defendant D'mico lied & said Plaintiff wanted to harm himself. Him & Defendant Hindeman, & Culla placed Plaintiff on a Separation of all inmates status. Czek & Hindeman placed Plaintiff on Administrative Segregation on Nov. 02, 2024.
51. Defendant Czek then instructed Youcum, a C.O., to return to Pod-4, & Conduct a cell search. At approx. 1715 hours Youcum was conducting the cell search. He concluded the search and nothing was found. After around 1920 hours Czek instructed Plaintiff to return back to Plaintiff cell that was Pod-4-4 cell & to retrieve his mattress "It's time to finish this piece of shit." On Nov. 02, 2024.
52. Youcum returned with the mattress to movement & Control 4 of the OCC. Czek then instructed him & Nodire to place the mattress in a radiology scan & to search "for a tooth brush Hozanovic placed there the other day." These two couldn't find the item, Czek began yelling "there it is."
53. Czek instructed Youcum & Nodire to open the mattress shell, & retrieve the toothbrush. He then instructed Youcum & Nodire to lie & press Criminal Charges on Plaintiff stating the toothbrush belong to him. Nodire, lied & stated OCC has a Policy to radiology Scan inmates mattresses when they leave a unit, in a Deposition to the CJD of Oneida County. While Youcum wrote incident report #36155, & used Nodire deposition to support a Contraband Charge, that was ultimately dismissed. (6)

ALF-6  
CONSTANT WATCH SUPERVISION

54. Defendant(s) Czek & Kinderman, & Sgt. Gulla, placed Plaintiff on the most unusual, & severe restrictions, that were shocking: Plaintiff was deemed a Constant Watch mental Health level for alleged statements of self harm. He never made, none of the Defendant(s) can state what was said, or why & how Plaintiff planned to harm himself.
55. Plaintiff was denied the following by Kinderman, Czek, & Gulla: No Property, out of cell time revoked; of hour recreation in restaurants CWO shackles while in rec yards Hygiene kit at officer desk, shower 3 times a week; No toothbrush; No spoon; no Pens or Pencils; no cup, Nothing. Full restraints when he comes out the cell, & He is not to be released from Constant Watch, or moved anywhere from his cell without Defendant Kinderman express authorization. Nov. 02 2024 - ~~Parry~~ <sup>AP</sup>
56. Plaintiff was housed in this unit from November 02, 2024, November 06, 2024. Plaintiff was only given 5 showers in this time & afforded rec 3 times. The following parties denied Plaintiff rec, food, showers, legal calls, visits, legal visits, medical, & clothing.
57. Plaintiff was housed in Act-06 cell, with no running water, to which the cell light remained on all day & night from Nov 02 - Nov. 06, 2024. Plaintiff had no clothing at all, & had no legal mail at all. Plaintiff had no way to wash his face, brush his teeth, use the bathroom, pray & practice his Islamic faith.
58. Plaintiff was denied breakfast, lunch, rec, showers, & (shoes) by ~~Defendants~~ Kinderman, Dimico, Gulla, ~~Parry~~ <sup>AP</sup>, ~~Kinderman~~ <sup>AP</sup>, ~~Kinderman~~ <sup>AP</sup>, ~~Kinderman~~ <sup>AP</sup>. This occurred on November dates: 04, 05, 06, 07, 08th; 12, 13, 14th, 15th, 18th, 19th, & 20th. As well as the 25th. Plaintiff was informed that Kinderman & Lt. Dimico instructed them not give him shit & to also remember he made threats to kill Gondek & Gondek, Kinderman & five kids as well. Plaintiff starved for those days.



59. Plaintiff received a decision & order from Magistrate Katz, in 9:24-cv-1169 Burrell v Winkler. Plaintiff had a right to object to the 10/30/24 report & recommendation. Kinderman, Clerk & Cirulla refused to allow Plaintiff any legal mail, pens, or paper. He wanted this.
60. Plaintiff attended a Parole revocation hearing on 11/04/24, 11/08/24, 11/18/24, & 11/25/24. At each court appearance the ALO Selinger instructed Defendant(s) Slipp, Bray, Engler, <sup>(AB)</sup> ~~Bray~~ <sup>Bray</sup> ~~moster~~ <sup>Plumley</sup> & Spierman & Scottfield, to allow Plaintiff to make a legal call to retain counsel to represent him, due to multiple acts of contempt of interest, & no counsel being readily available to do so. These Defendant(s) all refused to provide Plaintiff a Privileged Call to do so. Plaintiff did not receive an attorney.
70. Plaintiff was not allowed soap or a tooth brush, in ALO, nor was Plaintiff allowed books, mail, letters, magazines, or grievances. Plaintiff was informed by Defendant <sup>Hoke</sup> ~~Gardner~~ <sup>(AB)</sup> "The Chief & D'Amico have it out for you." On or about Nov. 21, 2024, Defendant Kinderman, approached out for you. On or about Nov. 21, 2024, Defendant Kinderman, approached Plaintiff with Defendant <sup>(AB)</sup> ~~Aboumader~~ <sup>Aboumader</sup> & said "I spoke to the boys at ALF-06 cell, with Defendant <sup>(AB)</sup> ~~Aboumader~~ <sup>Aboumader</sup> & said "I spoke to the boys at ALF-06 cell, they really miss you, & hope you come back, & drop those lawsuits. I seen your boy David sweat, & Bucky Johnson, they said Hello. Now, you listen, I'm aware you write alot of grievances, let D'Amico know when I mention your name. So, unless you promise to not to write any grievance's I can't let you out of here, or go to Population, because you are a threat to security with these grievance's".
90. Plaintiff agreed to the terms, once Defendant Morgan informed Plaintiff he won't receive treatment, he requested a grievance. Defendant Davies then lied & said Plaintiff was homicidal, & argumentative with Morgan. Him & Defendant Plumley then lied & stated Plaintiff refused to move from Constant Watch. Davies stated "Yeah fuck you Burrell remember you sued me, so guess what your staying in Constant." Plaintiff remained in Constant until 11/26/24.

72. Defendant Hoke, entered Aft & yelled "Hell Burrell wake up." He began hanging on the Pexi-glass, & had a radio with him, which he used to blast. Plaintiff requested rec, & a shower he stated "I can't hear yw!" He then stated I refused these, Plaintiff then had to face all the name calling. He called a Code on Plaintiff & instructed Aboumder not to feed Plaintiff. On or about Nov. 16, 2024.

73. Defendant Caria refused to allow Plaintiff his notice of inmate rights for the following MBR 36166, 36169, 36153, 36151, 36160, 36150 & 36165. Plaintiff was not aware of the charges or dates of incidents, or his rights at these hearings due to Caria refusal. Caria then threw the rights in the trash when he went on break.

74. Defendant Moser, denied Plaintiff recreation, showers & phone on Nov 29, 10, 16, & 7. ~~Defendant(s)~~ Speilman, McDonald; Dulski, denied Plaintiff rec, showers, phone, on 8, 9, 10, 11, 15, 16, 17, 23, & 24th. Stating "the Chief Kinderman said yw don't get nothing". ~~Defendant(s)~~ Aboumder, Fehly, & Gondek placed me in a zone-1 room with my attorney Alicia Loomis. Ms. Loomis inquired why am I in a smock, I informed her that the OCet has falsely reported to HELL I'm suicidal, & I'm not. These ~~Defendant(s)~~ Aboumder, Fehly, & Gondek, then relayed to mental healthy Defendant Dominica I informed them in the presence of my attorney I was suicidal. On Nov. 07, 2024

75. Defendant(s) Brindham, issued a memorandum for me to not to receive any medical care & treatment. I was not allowed anything. On November 19, 2024, I was required to attend a MYS Court or Claims trial appearance Claim # 134109, & 134618, in Hon. J. Scott Odonisi chambers. Defendant(s) Kinderman, Czek, & Civilia denial of Pen, Pencil, & Paper, caused Plaintiff to not be able to file a notice of change of address, also, Plaintiff denial of a legal call by Defendant(s) Pfriger, Kinderman, & Brindham caused Plaintiff to not be able to contact the courts & inform them of the need of an adjournment or a video conference.



CHARLIE NIGHT

76.

Defendant Corcoran denied Plaintiff out of cell time on 11/28/2024, & a telephone call, & shower. He stated, due to Plaintiff assault on 1/11/2025 in pod-5, in September, 2024, that Plaintiff won't receive it. He further stated, he was aware how much Plaintiff enjoyed cake, so he'll instruct Trinity Kitchen workers not to give Plaintiff any cake. Plaintiff never receive cake. Plaintiff received notes from Trinity Employee Defendant(s) ~~Carol~~, Carol Sowers, to "kill himself" "go back to constant water," & "Enjoy M B," & other drawings on tray lids.

77.

Plaintiff food containing hair particles, rocks, metals. Plaintiff was informed this was under the instructions of Brindham, Smith, Kinderman, Hixtable, Corcoran & Trinity Cook(s) Carol, Sowers, due to filing Burrell & Sowers, 9:19-CV-1629 (W.D.N.Y., 2022) & constantly filing grievances. Nov. 26 - Dec 18, 2024.

78.

Plaintiff was denied lawful recreation. Plaintiff was instructed to attend rec in the outside area of Charlie Night & MUNC from Nov. 26, 2024 - Jan 03, 2025 in Crocs slippers. The weather was raining, snowing, & cold. Constantly. Plaintiff requested footwear, a coat, a hat, a scarf, & to wear his sweater. Defendant(s) Sadler, Force, Toep, Davies, Hughes, & Keller all refused Plaintiff recreation on the dates between Nov. 26, 2024 - Jan - 2025. Due to Plaintiff requesting proper clothing or an appropriate rec setting they denied Plaintiff recreation completely.

79.

Defendant Kinderman denied Plaintiff a razor to shave, & according to Plaintiff fears of faith he was allowed to do so every 40 days. Plaintiff was not allowed his 7 hours out of cell, programs, or treatment. The OCCT does follow HIA, or any type of legislation in 9 NYC 2077 & 9 NYCRR 2026. There is no programs for therapeutic treatment. Plaintiff was confined in Charlie Night 24 hours a day with no outside rec, microwave, board games, television, or reading material from Nov 26, - Dec 18, 2024.

80. Plaintiff attended a Deposition on 12/18/2024, Burrell v. Bishop, 9:22-cv-1156. Plaintiff was placed in enhanced restraints by ~~corrections~~ Abounader. Plaintiff was informed they will be removed like previously with Kinville & Cangello. Plaintiff attended the Deposition & Defendant(s) Halbert, Ninaldo, & Wilcox refused to remove the restraints.

81. Plaintiff was informed that Captain Smith, & Kindeman, said the facility doesn't have enough staff to watch you in Court all day. So, you can either refuse or sit down. Plaintiff was informed that he would not be eating either, unless he goes back to his cell, & once he does so, he would not be attending the court deposition.

82. Plaintiff objected to this tactic, & inform them that this is a deliberate indifference. They stated "Oh, well." Plaintiff could not bear the pain, & agony of the leg shackles, waist chain, & handcuffs, as they were cutting his circulation of blood, & he was feeling fatigue, & lightheaded, & requested medical attention. He was informed that a motion to dismiss would be filed by NY's AAR Noah Englehart.

83. Plaintiff sought to Press Charges with the Orange County Criminal Division for the assault by NAPA, mail tampering, & intimidation of a witness by Kindeman & others, as well as Spertman, & master. Defendant Investigator Miller refused to forward by request to C.I.D., he refused to report my PRICAT against Defendant NAPA. I filed an accusatory instrument he refused to process as well. Dec. 05, 2024



## CHALLENGE - NIGHT #

84. Plaintiff was placed in C-1, at OCCF by Defendant Kinderman & Civilla, as a SAE. This status is not anywhere in OCCF Policy Handbook, or 9 NYCRR (AA). This status is not appealable, or grievable, it is reviewed every 17 days. Sgt. B. Civilla, said the decisions were held by the Chief. There is no TRU in OCCF, or Administrative Segregation unit. As they don't comply with HACT, Plaintiff was the only ill in C-1. The rest of the SAE ill in OCCF were housed in Pod-4, & were given microwaves, televisions, basketball, hand balls, cards, board games, books, magazines, no restraints, seven hours out of cell, visits, & phone calls. from Nov 26 - Dec 19, 2024.
85. Plaintiff was informed he was in a restrictive Privilege Unit, & he would remain there, & if he continued to write grievances Kinderman will increase his restrictions, & he knows how Kinderman gives it up. (sic)
- On 11/29/2024, Plaintiff went to attend a Deposition with NYSAAD Olivia Cox, Q102 W-0702. Plaintiff was informed by Defendant Corcoran that Pfleger said "were under staff, & don't have the men necessary to watch you at the deposition therefore, you either refuse or you going to be handcuffed tight as fuck".
86. Plaintiff informed Corcoran he was attending the hearing/Deposition. Plaintiff was approached unreasonably by Defendants) Elswood, Plumely, & Napa, who all made use of force on Plaintiff. Napa, groped Plaintiff buttocks when exiting C-1 entering Zero-1. Plaintiff entered a room, & witnessed Mrs. Cox. He was grabbed by Elswood & Plumely & forced to sit down. He had mechanical restraints applied to him. Plaintiff objected to the restraints & stated "why am I in restraints". They informed re Defendant Pfleger. They then removed me, & used force again, grabbing & pulling out of the room unnecessarily. Plaintiff, was informed a motion to dismiss was filed, on the grounds of failure to Prosecute. Pfleger lied & said it was OCCF Policy to handcuff Plaintiff in the room with civilians, this was failed by Plaintiff & no Policy exists on or about 11/29/2024



## Hearings for Incident Report(s)

87. Plaintiff filed a FOIL, for logg entries from when he was housed in ALF-06. Defendant Smith, conducted the FOIL, & he wrote a MBR for logg entries made my Coundek on 11/08/2024. He wrote the MBR 12/17/2024. He placed Plaintiff in MWC; & on enhanced restraints; & labeled Plaintiff an escape risk. Plaintiff encountered Smith in Zone-1, he said it was instructed to do so by Chief Kinderman, & Plaintiff is a piece of shit who sued him years ago. See *Burrell v. Zurek*, 914-cv-0986 N.D. N.Y. He placed a restraint order on Plaintiff & labeled him an escaped risk.
88. Defendant Knutti, commenced the hearing on 12/19/2024, & had already had a guilty disposition rendered. He had Plaintiff listed for no witnesses; no assistance; & no statement. He instructed Plaintiff to sign for such document. Plaintiff reviewed such, & crossed out the answers he marked as no, & requested Smith, Warden; & the logg entry as material, & for Kinderman to be his assistance. Kinderman refused, Plaintiff was receiving envelopes from Defendant Elswood, & Knutti delegated him to be Plaintiff's assistance on the spot. Elswood had no knowledge, or training. Knutti then walked away. On or about Dec. 30, 2024.
89. Defendant Knutti concluded Plaintiff hearing, did not provide a line of questioning to witnesses Smith, & Warden, lied and gave a false statement that Plaintiff stated "I am a genius & smarter than you." He lied & stated Elswood was Plaintiff's assistant & Elswood was providing writing paper. He lied no location, & placed Elswood as Plaintiff's representation MBR # 36331, & imposed 28 days loss of tablet. Plaintiff appealed the MBR. On or about Dec. 30, 2024.

## Hearing(s) For Incident Report(s)

90. Defendant Knutti, on November 14, 2024, informed Plaintiff that he was present to conduct (7) hearings. Plaintiff informed him he was never made aware of the charges, or MBI, or was given any type of documentation on the hearings. Knutti began yelling "well yeah, because you put yourself in here, so you have to deal with it now, the chief already spoke".
91. Plaintiff requested his copy of the MBI's, Knutti denied him stating the chief said you get nothing, no type of paper whatsoever. Plaintiff objected, Plaintiff informed Knutti he witnessed him provide an AFI ACF-4 Roman, with a pen & documents. Knutti informed Plaintiff to shut the fuck up & mind his business.
92. Plaintiff, objected to the hearing on grounds that he was in constant watch, a mental health status, & that it was not lawful. Knutti became irate & stated "well we doing the fucking hearings regardless, the chief said so, you're already guilty Burrell, I just came to watch you in a cage you little monkey".
93. Plaintiff, agreed to do the hearings, Knutti began with MBI # 36150, Plaintiff requested C.O. Johnson as a witness, & for the body camera that was on Johnson to be also admitted as evidence, & Plaintiff requested for Dad-4-Sell as a witness as well. Knutti began yelling "you not getting no witnesses, or body camera, I review body camera not you, I'm done". He walked away.
94. On or about November 26, 2024, Plaintiff received 8 dispositions, he was informed that 36165 - guilty, at 0940 hours; loss of Privileges for 21 Days; 36166 - 0950 guilty loss of Commissary 21 Days; 36126 - 0930 - Hoke - guilty 21 Days loss of Commissary; 36160 - 0910 - guilty 21 Days loss of Tablet; 36153 - 0900 guilty loss of Commissary 7 days; 36151 - 0855 - guilty 14 Days loss of tablet, & 36150 0850 - guilty loss of tablet 7 Days. There was no appeal with any of these dispositions. They were served to me while in ACF I never received them. I appealed each one to the Chief & they were denied. These dispositions were rendered in 5-10 minute increments, Plaintiff hearing with Knutti did not commence until at or around 9:45 - 10:00am 11/14/2024. He already found Plaintiff guilty.



Outgoing, Incoming, Legal-mail  
Law Library

98. The OCAF is understaffed, there are (3) officers to conduct the legal-mail. The Chief Defendant Kinderman, has a illegal policy & custom that violates any and all laws. By having all incoming mail photocopied. This is regardless if it is deemed contraband or not. Therefore, only (3) officers of your badge & number have undergone the training. These officers will be assigned to breaks, rec, or other units, & the legal-mail will not be done, upon arrival to the facility as required. They also, refuse to allow you returned to sender mail. They will take your return to sender mail. Plaintiff needed to provide a City, & State to the N.Y. State Board of Parole Appeals unit outgoing notice of appeal letters.
96. Kinderman & Youm refused to allow Plaintiff provide an address to the envelope, & resend it, as the Postmark stated. In lieu, they opened it, made photocopies, & placed it in Plaintiff Property.
97. Plaintiff is indigent & has no way to provide for himself. He required envelopes to conduct discovery in 9122-CV-702; 9123-CV-0098; 9123-CV-0392; 9123-CV-0454; 09123-CV-0915; 9123-CV-0821; 9122-CV-1178; 9122-CV-1156, for the N.Y. State. There was also motions to compel, & responses to motions he sought to file. He was not able to do so. Defendants Kinderman, Campbell, & Elsworth, & Larry refused to provide Plaintiff with sufficient postage to do so. They were intentionally providing (2) or once envelopes a week, the bare minimum to send out postage. Plaintiff provided proof of deadlines for 9122-CV-0701; 9122-CV-702; 9122-CV-1156; & 9122-CV-0720. Of a need to respond Campbell kept all the deadlines, & never returned Henry & stated "The Chief wants more proof." Plaintiff started all his responses in envelopes, & majority of time, they refused to mail them out.
99. Defendant Larry refused to provide Plaintiff with legal supplies, or access to the courts. I had a Law Library Deprivation Placed on me by Campbell, Kinderman, & Larry, due to "requesting too much legal material to see the facility." Also, I was denied notary & photocopies, after 10/16/2024. By these defendants for filing 9124-CV-1377. 12/30/24



HELIO HEALTH & WELLPATH

100.

Plaintiff sought mental health services for his anti-personality disorder & to be diagnosed for bi-polar & to receive his medication he was prescribed by Central New York Psychiatric Center. Defendants Dominica & Morgan refused. I seek counseling, therapy, & mental health services, they refused to provide me any type of services.

101.

Defendant Dominica, on 11/07/2024, had me held in suicide watch because Defendants <sup>Kinderman</sup> ~~Kinderman~~ <sup>Dominica</sup> ~~Dominica~~ <sup>Civila</sup> ~~Civila~~, told her I informed my attorney Alicia Loomis, in a attorney-client privileged interview "I was suicidal." I informed her that was not true, & I was informing MS. Loomis that the facility has me on constant watch mental health level one, by Defendant Kinderman, that's why I'm in a smock.

102.

Defendant had me held again on suicide watch, for disrespecting her co-worker Morgan, & stated "until you apologize your staying in constant I remained in constant until 11/21/24. Defendant Morgan confronted Plaintiff on 11/21/24, & informed him the Chief Kinderman informed her, I will be released from constant watch, & needed clearance from her, & that she would do so if I stopped requesting mental health services & medication. Plaintiff informed her he would continue seeking treatment because he needs it. She refused to release Plaintiff. Plaintiff remained on constant watch until 11/26/24.

103.

Defendant Dominica, & Morgan, refused to allow Plaintiff to have any private sessions, all Plaintiff request interviews, needs, & referrals, were forwarded to Kinderman. They gave Kinderman Plaintiff entire Central New York Psychiatric Center files.

Q. 104.

1) Defendant Nancy, a well paid, RN, refused to treat Plaintiff. Plaintiff suffered several rashes, after being fed by defendant(s) Colan, & the Trinity Food Employees <sup>Carol</sup>, on his arms, legs, back, & the soap he was being given on or about Dec. 09, 2024.

105.

Q. 105.

On or about Dec. 09, 2024 Defendant Nancy, refused to give Plaintiff medical services, or to see a doctor for his sciatic nerve damage, Carpal Tunnel, Left knee, Shoulder, & neck injuries. She refused to prescribe Plaintiff Gabapentin for his nerve damage, place him to see the optician for a pair of eye glasses, a HIV, STD, test, or a Flu vaccine. Plaintiff filed multiple sick calls. She refused to see him.

Q. 106.

Plaintiff was involved in a car accident Dec 03, 2024, where Defendant master was operating a SUV, Spielman, & master both failed to fasten a seat belt on Plaintiff in the back seat. Master smelling of alcoholic beverages, caused the SUV to jolt, while texting at approx. 3:02pm. This caused Plaintiff neck to whiplash, & crashed his left shoulder into a Partition in the back seat of the SUV.

107.

Q. 107.

When Plaintiff arrived back to the facility, he attempted to inform C.O. Kruzzian of the accident. Defendant Spielman intervened, & obstructed this, by threatening Plaintiff & slamming the steel door on Plaintiff foot several times. Plaintiff was wearing Croc's sandals & the sandal deformed under the door & was dragging Plaintiff foot (right) with each slam. Defendant Nancy, refused to treat Plaintiff for this injury.

108.

Q. 108.

Defendant Nancy, allowed C.O.'s to video record Plaintiff's medical assessments, so they can be relayed to the Chief DCF Staff began rumors Plaintiff had AIDS, HIV. Defendant Kinderman, was informing Sgt Kinville; Lt. D'Amico "Stay away from Bunell he has AIDS". On or about Dec. 09, 2024



MWC

109. Plaintiff was transferred to a material custody unit, with no sink, shower, toilet, windows, & toothbrush or wash cloth. Plaintiff was informed by Defendant Brundham this was due to complaining & writing grievances against Kinderman, Dinico & Corcoran walking on Charlie-Right inner linear gallery with keys to the unit creating a break of security.
110. Plaintiff was denied a notary, to notarize documents, after multiple requests. Chief Kinderman instructed Defendant(s) Brundham, Horanovic, & a John Doe to confiscate all Plaintiff legal documents.
111. Plaintiff was denied sickcall, mental health, recreation, showers, razor, legal calls, & legal-mail. As the items were constantly being confiscated. Defendant Czek informed Plaintiff he filed a work order # 57358 due to the freezing cold at MWC-1. Plaintiff was fed soy meals, by C.O. master on days.
112. Defendant(s) Paulnowski, & McDonald, on 12/21/2024, denied Plaintiff Complaint forms & grievances to file against them for tampering with Plaintiff meal. On 12/28/24 - 12/29/24, Defendant(s) Paulnowski & McDonald constantly banged on Plaintiff cell walls, removed turkey slices from his meal, denied him hot water, & outside recreation.
113. Plaintiff was housed in MWC, Defendant Woodland, the classification officer stated 9MYCAR 7013, was the reason. In an email from Kinderman via the Classification Kinderman assured Plaintiff he would be housed under more restrictive conditions.
114. On 12/19/2024, Plaintiff was informed that Kinderman was informed that 9:24-cv-1377, was filed against him & OCAF staff. Plaintiff would therefore be placed on a Law Library deprivation, & all outgoing mail must remain unsealed to be mailed out to ensure no more lawsuits will be filed against him & OCAF staff members.



115.

Plaintiff was housed in the mwc unit. There was no sort of Privileges.

No Playing Cards, TV, Radio, Windows, Board games, Chairs, Tables, books, it was three cells, & the OCF zone are hallway. Plaintiff was informed he was placed here due to filing an excessive amount of grievances, & it's consider a threat due to showing other it's in ocf how to litigate & file grievances.

116.

Plaintiff was not allowed into the new, as there is no new in ocf, there is no new programming, Plaintiff was held on this status since November 02, 2024 - <sup>Jan 02, 2025</sup> ~~December 1, 2024~~ with no review, or appeal process. Plaintiff was inform that the Status was not a grievable matter.

117.

Plaintiff made attempts to send outgoing mail to the N.D.N.Y. Defendant(s) Brachem, Campbell, & Kinderman refused to process Plaintiff mail. Plaintiff sought to be seen by medical via sick call. Defendant Paulinkowski, entered the nurse room, & recorded the assessment with a body camera causing Plaintiff to refuse, due to his HIPPA rights being violated.

119.

Plaintiff was caused to suffer at the hands of the Defendants. Plaintiff, was & continuously continues to be Punished. Defendant Simo, refuses to process Plaintiff grievances, Plaintiff files his grievances to his mother, & writes the commission. He is no longer allowed to receive law library access. Defendant Campbell instructed Defendant Levy on 12/31/2024 to not make copies of the law library deprivation order issued by Kinderman, so Plaintiff can show the courts where he has matters pending, Plaintiff cannot seek discovery material, or file motions to compel, mem. of law, & articulate objections in NYS. N.Y. Cases 9:22-cv-0702, 9:22-cv-0704, 9:23-cv-0098, 9:23-cv-0831, 9:23-cv-0915, 9:22-cv-1178 & 9:23-cv-1156, 9:24-cv-1377

ATI, CYBERWORK, ELSWOOD

121.  
 Plaintiff was applying to enroll into the Alternative to Incarceration (ATI) Program at OCT. He was denied, stating "you're going back to Prison". Plaintiff had no Prison sentence, Plaintiff was in OCT custody for a Class B misdemeanor, & awaiting trial. Other ill in the facility were enrolled in the ATI, who were on misdemeanor charges. Plaintiff was informed by ATI, Defendant Kinderman inform them not to provide Plaintiff re-entry services (employment, shelter, SSI, & health care benefits).

122.  
 Plaintiff enrolled into the tablet based Cyberwork Program & ascertained over (9) Certificates. Defendant(s) Elsworth, Campbell, Dimico, & Kinderman refused to allow Plaintiff to redeem a Certificate of Completion. Plaintiff was indigent, & they insisted Plaintiff pay \$0.25 each Certificate. Elsworth stated "well, we do print them out for free in the past, I guess it sucks to be you".

123.  
 Plaintiff enrolled into the tablet based ~~Cyberwork~~ Eldoro Program & ascertained (10) Certificates. Defendant(s) Elsworth, Campbell, Dimico & Kinderman refused to allow Plaintiff to redeem his Certificates of Completion. Plaintiff was indigent & they insisted Plaintiff pay 0.25 each Certificate. Elsworth stated "well, we do print them out for free for other people, I guess it sucks to be you".

124.  
 Plaintiff witnessed Lt. Campbell, unbeknownst to Kinderman, Elsworth & Dimico, give Plaintiff an Anger Management Certificate of Completion. Which, she informed Plaintiff not to tell anyone. Due to the fact they are aware Plaintiff is indigent & cannot pay, so they're conjuring a policy to charge, when they rationally don't.



## EXHAUSTION OF ADMINISTRATIVE REMEDIES

125.

Plaintiff exhausted his administrative remedies in respect to all Claims raised. Defendant Dimico was the Grievance Coordinator, & refused to provide Plaintiff with grievance forms. He would, Plaintiff would have filed the necessary grievances. Plaintiff would file Complaint forms, that would be thrown out, or never exhausted. Plaintiff filed over 250 Complaint forms, & only had approximately 5 grievances be sent to

126. the CPAC. Plaintiff began filing grievances to the CPAC, to exhaust his remedies. He would also have his mother fax the CPAC, & Commission of Corrections. The CPAC, responded & instructed Plaintiff to utilize the grievance system. There is no grievance system in OCEF, if you file grievances Lt. Dimico & Kinderman commits adverse actions, place you on a false pre-tenure suicide watch, remove your property, contraband watch, segregated confinement, SAE, or assault. To that point Plaintiff exhausted his remedies to the best of those available to him.

## Legal Claims

127.

All these defendants acted with actual malice toward Plaintiff with willful & wanton indifference to deliberate disregard for the statutory & constitutional rights of Plaintiff. All the actions of the Defendants constitute unreasonable use of force; deprivation of liberty without due process of law.

128.

Upon information & belief at all times Defendant OCEF, Hells, & Well Path, Trinity Food Service permitted & tolerated a pattern of due-process violation of 9 NYCRR (Ad) Commissions of Corrections

129.

Plaintiff incorporates by reference in Paragraphs 1 through —, It was the Policy & Practice of OCEF, Hells, Well Path, & Trinity Food Service to employ these Defendants. The Policies & Practices of OCEF encouraged & caused constitutional violations by Defendants. It was Policy & Practice of OCEF to deny, prevent prompt medical to Plaintiff. To prevent Plaintiff from obtaining medical treatment medication, pain treatment. The Policies & Practices used by Defendants encouraged & caused constitutional violations. At all pertinent times Defendants & other unknown supervisors, who supervised the officers who unlawfully violated Plaintiff's rights encouraged & tolerated the Policies & Practices,



Defendant(s) Kinderman, D'mico, Civla, Czek, SAI, Admin. Sec. orders of Nov. 02, 2024, & Defendant(s) Dominica & Morgan Admission to Omh on a false Pre-tense of self-harm, from Nov. 02 - Nov. 26, 2024, adverse action. Those conditions stipulating Plaintiff to be denied all legal-mail, Pen, Paper, to file a change of address to NYS Court of Claims, denial of legal calls to check emails, causing Plaintiff to be denied (2) Court of Claims trial appearance's #134018; & 134109 with Hon. J. Scott Odorisi on Nov. 19, 2024. These cases being dismissed due to Plaintiff failure to appear. These defendants restrained Plaintiff from appearing or litigating the case at all. Plaintiff was never suicidal, & was denied access to the Courts, Law Library, Pen, & Paper, in all aspects by Defendants. Violated Plaintiff 1st; 4th; 5th; 6th; & 14th Amendment Rights Pursuant to the U.S. Constitution.

131. Defendant(s) Kinderman, D'mico, Civla, Czek, SAI, Admin. Sec. orders of Nov. 02, 2024, & Defendants Dominica & Morgan Admission to Omh on a false Pre-tense of self-harm, from Nov. 02 - Nov. 26, 2024, adverse action. Those conditions stipulating Plaintiff to be denied all legal-mail, Pen, Paper, to file a <sup>objection</sup> change of address to NYS N.D. Judge Katz report & recommendation, 10/30/24, in *Burrell v. VanWinkler*, 9:24-cv-1169. Resulted in Hon. Hurd to interpret the 15 day response time to lapse & adopted to the dismissal of the claims recommend by Hon. Katz. This was due to the adverse act, by defendants, by restraining Plaintiff from accessing a Pen, Paper, Law Library, legal-mail, or Phone call, from Nov. 02 - Nov. 26, 2024, giving Plaintiff no way to file an objection or seek an adjournment. Violated Plaintiff 1st; 4th; 5th; 6th; & 14th Amendment Rights Pursuant to the U.S. Constitution.

132.

Defendant Pfleger, Elswood, Plummely, Napa, handcuffing Plaintiff for deposition on 11/29/2024, in *Burrell v. Nelson*, 9:24-cv-0102, with an illusory warning, that Plaintiff be restrained to a chair, & Plaintiff is not on a restraint order. So Plaintiff would be "uncomfortable as possible, because OCLF does not have enough staff to stand by the door for seven hours for Plaintiff deposition". Plaintiff who suffers from carpal tunnel & Sjactica, would be in tremendous pain, resulting in the deposition being cancelled, & a failure to prosecute motion to dismiss being filed. These defendants lied, & stated that it was a OCLF Policy to handcuff all ill's when in rooms with civilians by themselves. Which is untrue, Plaintiff was in the same room with Helio Dominica in September, 2024 with no restraints. This violated Plaintiff 4th; 5th; 6th; & 14th Amendment Rights Pursuant to the U.S. Constitution.

Defendant Mosher, crashing or vehicle mishandling due to texting while driving & being under the influence, while leaving Summit City Court Dec. 03, 2024. Causing Plaintiff Neck to Whiplash into a Plexiglass Partition, & his neck & shoulder to collide as well into the Partition. His refusal to provide Plaintiff medical assistance upon returning to occ. violated Plaintiff rights, as well as his refusal to foster a seat belt on Plaintiff to prevent injury. Violated Plaintiff 1st, 4th, & 14th Amendment Rights Pursuant to the U.S. Constitution.

134:

Defendant Spielman, slamming the steel door in booking of occ on Plaintiff foot, in retaliation of Plaintiff seeking medical treatment from a car accident & injury he sustained, causing bruising, & swelling, inter alia to Plaintiff right foot violated Plaintiff 1st, 4th, & 14th Amendment Rights Pursuant to the U.S. Constitution.

135:

Defendant Nancy, (hell, 20th), refusal to provide adequate treatment to Plaintiff for his car accident neck, & shoulder injuries; Spielman foot injuries; & his ongoing treatment & medication he required for Siactica, Carpal tunnel, muscle spasm, Physical therapy, Steroid shots, & to be seen by the doctor, the optician & a dentist. As well as to deny Plaintiff a HIV, STD, Flu vaccine, & sick call of any kind, Lastly, allowing Plaintiff HIDEA rights to be violated by having occ create a policy induced by Kinderman to record Plaintiff medical assessments, & a rumor to be spread Plaintiff has HIV. Violated Plaintiff's 1st, & 14th Amendment Rights Pursuant to the U.S. Constitution.

136:

Defendant(s) Kinderman, Czek, Civilly, & Dimico, placement of Plaintiff in mwe & Charlie right in retaliation, or SAI, & Admin seg, since Nov. 02 - Jan. 2025, with no television, phone, shower, programming, re-entry service, visits, Board games, Cards, religious services or practices, recreation, or klu. Allowing other ill's in occ on the same status to enjoy these exact same privileges; Defendant Woodland informed Plaintiff that restrictions would increase. This violated Plaintiff 1st, & 14th Amendment Rights Pursuant to the U.S. Constitution.

137:

Defendant(s) Pfleger, Brandham, & Kinderman denial of Plaintiff legal call, violated his 1st Amendment Right Pursuant to the U.S. Constitution.  
Defendant Brandham memo to deny Plaintiff medical care & treatment in Nov. 2024. Violated Plaintiff 14th Amendment Right Pursuant to the U.S. Constitution.



Defendant(s) Kinderman, Civilla, & Dinico Refusal to feed Plaintiff lunch, & breakfast  
denial of showers, & phones; in ALF, in retaliation of making threats. Violated  
Plaintiff 1st, & 14th Amendment Rights Pursuant to the U.S. Constitution

139.

Defendant(s) ~~Kinderman~~ <sup>Dinico</sup>, Chapman, & Czec, Placing Plaintiff in the mental  
health unit, & lying that Plaintiff wanted to harm himself. Violated  
Plaintiff 14th Amendment Right Pursuant to the U.S. Constitution

140.

Defendant Hazzanovic, placing a sharper toothbrush in Plaintiff mattress,  
& Defendant Czec instructing Yocum to retrieve the mattress (3) hours  
after Plaintiff was removed from the cell. Defendant Yocum & Nadire  
lying to Orinda County Deputy, in a Deposition that it was  
Olet Policy to radiology scan mattresses, in attempt to set Plaintiff up  
with a new charge was a blatant conspiracy. Violated Plaintiff 1st,  
& 14th Amendment Right Pursuant to the U.S. Constitution

141.

Defendant Hoke entered ALF harassing Plaintiff denying him rec &  
showers. Violated Plaintiff 14th Amendment Right Pursuant to the  
U.S. Constitution

142.

Defendant Carra refusal to provide Plaintiff his notice of inmate rights  
& throwing them in the trash. Caused Plaintiff not to be aware of  
the abuse against him & his rights at the hearing. Violated Plaintiff  
1st, & 14th Amendment Rights Pursuant to the U.S. Constitution

143.

Defendant Moser, denial of Plaintiff rec, showers, & phone on Nov 09, 10, 16, &  
17, 2024. Defendant(s) Spielman, McDonald, Paulinkowski denial of Plaintiff  
rec, showers, phone, on Nov, 08, 09, 10, 11, etc. In adversity effect from Defendant  
Kinderman Violated Plaintiff 1st, & 14th Amendment Rights Pursuant  
to the U.S. Constitution

144.

Defendant Dominca, admission of Plaintiff to Suicide Watch, on Nov 07,  
2024. Due to informing Plaintiff attorney he was in a smock, because the  
Facility has him on Suicide watch which was a privileged conversation  
Violated Plaintiff 1st, 6th, & 14th Amendment Right Pursuant to the U.S.  
Constitution



Defendant(s) Carol, § Sowers, Colan, & Corocran, serving Plaintiff say intentionally causing Plaintiff alleged reaction, suicide spoon, with instructions to kill himself, the writing Envy, hearts, & Smiley faces, in retaliation for filing 9:19-CV-1629. Violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.

146.

Defendant(s) Kinderman, Civilla, Dimico, & Czek, Separation of inmates; Admin Seg, denial of rec, showers, phone, legal mail, books, clothing, visits, running water. In Alf, CR, & mwc, from Nov. 02 - Jan. 0, 2025. Violated Plaintiff 1st & 14th Amendment Rights.

147.

Defendant(s) Engler, Bray, Slipko, Mosher, Plummely, Speilman, & Scotfield refusal to allow Plaintiff to make a legal call, to retain counsel, as the Administrative Law Judge Craig Schlanger instructed, Nov. 04, Nov. 08, Nov. 18, & Nov. 25, 2024, causing Plaintiff to have to go attorney for his parole revocation hearing Preliminary Hearing, ultimately waiving the hearing due to not having counsel, & not being assigned counsel or being able to retain counsel. Plaintiff had six adjournments, due to not having counsel violated Plaintiff 1st, 5th, 6th, & 14th Amendment Rights Pursuant to the U.S. Constitution.

148.

Defendant Kinderman, refusal to allow Plaintiff into general population, unless he dismissed 9:23-CV-0821, & 9:23-CV-0915; His relationship with Prisoner Escaper from CCF David Sweat, & his grievances he has to file to redress illegal occf policies. On Nov. 21, 2024. Violated Plaintiff 1st, & 14th Amendment Rights Pursuant to the US Constitution.

149.

Defendant(s) Davies, & Plummely lies that Plaintiff was homicidal, & there refusal to comply with Kinderman instructions to release Plaintiff from Constant, In retaliation for filing 9:19-CV- , against Davies, & requesting a grievance to file against Defendant Morgan for denying Plaintiff Omit treatment. Violated Plaintiff 1st, 4th, & 14th Amendment Rights Pursuant to the U.S. Constitution.

Defendant Corocran denial of Plaintiff cell, shower, & phone, due to Plaintiff assaulting a ill Tristian Deeks, violated Plaintiff 1st, & 14th Amendment Right Pursuant to the U.S. Constitution.

151.

Defendant(s) Brankham, Smith, Kinderman, Hixtable, Corocran, Carol, & Sowers, Contaminating Plaintiff meals, in retaliation of filing 919-cv-1629, violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.

152.

Defendant(s) Sadler, Force, Toepf, Davies, Hughes, Keller, insisting on Plaintiff wearing Croc Slippers in the recreation area, in inclement weather, & refusing to provide Plaintiff proper footwear, & denying Plaintiff cell for doing so violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.

153.

Defendant Kinderman, ban on Plaintiff utilizing a Tazor, & depriving him of practicing the tenets of his Islamic faith, by shaving at least 40 days, & not allowing public ~~hair~~ hairs to accumulate for over 40 days, violated Plaintiff 1st & 14th Amendment Right Pursuant to the U.S. Constitution.

154.

Defendant(s) Smith, Kinderman, Holbert, Rinaldo, & Wilcox, refusing to remove Plaintiff restraints for his 12/18/24 Deposition. As they were previously removed on 12/06/24, by Cagello. Due to them having to stand on the Post & watch Plaintiff for seven hours, violated Plaintiff 1st, & 14th Amendment Rights Pursuant to the U.S. Constitution.

155.

Defendant Miller, refusal to allow Plaintiff to Press Charges, report his Plot, & mail tampering, intimidating a witness to the Okaloosa County Criminal Division, as he is required to by ocet Policy, violated Plaintiff 1st, & 14th Amendment Right(s) Pursuant to the U.S. Constitution.

156.

Defendant Smith retaliatory report he filed against Plaintiff, placing him in enhanced restraints, & labeling Plaintiff an escape risk in retaliation to filing 919-cv-0906 against him, violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.



157.

Defendant Knutti already finding Plaintiff at most hearings, denying Plaintiff witnesses, mail copies, notice of rights, assistance, testimony, Body Camera, filling out Mock assistance forms stating Plaintiff said no, never undergoing training to conduct hearings, & Defendant Kinder instructions for him to do so, & find Plaintiff guilty at all his hearings. Violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.

158.

Defendant Defendant Kinder legal mail & Postage Policy for incoming legal mail, & denial of sufficient postage to send outgoing legal mail as a pro-se litigant for Plaintiff, after Plaintiff provided proof, & confiscating Plaintiff legal documents, photocopying legal mail documents that are not subscribes, ruining the document so it not legible to respond to, opening return to sender mail, in lieu of allowing Plaintiff to place the address. Violated Plaintiff 1st & 14th Amendment Right Pursuant to the U.S. Constitution.

159.

Defendant Larry placing Plaintiff on a Low Liberty deprivation, denying him photo copies, notary, & legal supplies. Violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.

160.

Defendant(s) Helio Morgan, & Sonica, holding Plaintiff in constant watch for 19 days for refusing to apologize to Morgan, they're refusal to provide me treatment of my anti personality disorder, & prescribe me my medication for insomnia. They're violation of HIPAA giving Defendant Kinderman all my omb records, & referrals, & the 300 pages from Central New York Psychiatric Center. Violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.

161.

Defendant(s) Woodland, Kinderman, Brachamp Pinico, placing Plaintiff in mwe due to filing grievances & complaints against Kinderman, & Cordean walking on the inner catwalk with keys. Violated Plaintiff 1st & 14th Amendment Rights Pursuant to the U.S. Constitution.



162.

Defendant(s) Paulinkowski & McDonald denial of Complaint forms, grievances, meal tampering (removing food from Plaintiff tray), denial of recreation, & the video recording of Plaintiff medical assessments. Violated Plaintiff 1st & 14th Amendment Rights) Pursuant to the U.S. Constitution.

163.

Defendant(s) Brand Ham, Ha Zanic, & John Doe, Kinderman, Confiscation of all Plaintiff legal documents on 10/19/24 once he was transferred to MW, causing him to ~~do~~ not file discovery request, & file motions in respects to his criminal cases in Utica City Court, Kristian Whitestark, & N.D.N.Y. Court on Claims. Violated Plaintiff 1st & 14th Amendment Rights) Pursuant to the U.S. Constitution.

164.

Defendant(s) Brand Harry Campbell, & Kinderman, refusal to send Plaintiff legal-mail out, requiring all Plaintiff legal mail must remain unsealed so occ staff can see the contents, to prevent lawsuits from being filed against them.

165.

Defendant Dimico & Kinderman, refusal to Process any of Plaintiff grievances & Complaint forms. Violated Plaintiff 1st & 14th Amendment Rights)

## RELIEF REQUESTED

WHEREFORE, Plaintiff requests that this Court enter judgment against the Defendant(s) & award the following amounts;

- a. Fifty-Million, \$50,000,000.00, Compensatory damages in favor of Plaintiff.
- b. Fifty-Million, \$50,000,000.00, Exemplary damages in favor of Plaintiff.
- c. One Hundred-million, \$ ~~100,000,000.00~~, Punitive damages in favor of Plaintiff.
- d. Costs of this action, including reasonable attorney fees to the Plaintiff and

Such other relief as the Court may deem appropriate

Pursuant to Rule 38 of the Federal Rules of Civil Procedure,  
Plaintiff demands a trial by Jury.

Dated: January 02, 2025

Oriskany, New York

By: A. BULL  
AKO Burrell